THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23733 of 2005

28.7.2006

Between:

Smt.Bonkur Radha Rani, W/o.Siva Kesana Reddy

… Petitioner

AND

The District Collector, Guntur District

And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23733 of 2005

ORDER:

The petitioner filed a suit being O.S.No.116 of 2003 on the file of the Court of Junior Civil Judge, Mangalagiri, for partition of certain properties, which are allegedly joint family properties of her father, brother and others. In the written statement filed by the defendants, it was revealed that the third respondent herein, namely, the Mandal Revenue Officer, Mangalagiri (MRO), mutated the names of some third parties as purchasers. Therefore, she approached the MRO for certified copies of the proceedings under which the names of third parties were recorded as purchasers. She was issued an endorsement dated 09.9.2005 informing that MRO has already issued copy of Form 1-B Register granting pattadar passbook and title deed to Smt.Battula Nageswaramma, Smt. Battula Asha and Smt.Jonnadula Aruna under the provisions of A.P. Rights in Land and Pattadar Pass Books Act, 1971 (the Act, for brevity), she was advised to file an appeal under the Act before the jurisdictional Revenue Divisional Officer (RDO). Feeling aggrieved by the same, the present writ petition is filed.

Learned Counsel for the petitioner submits that unless and until the petitioner is given certified copies of the proceedings or certified copies of revenue records, she cannot prefer an appeal before the RDO. After getting instructions from the MRO, learned Assistant Government Pleader for Revenue (General) submits that the then MRO without considering/ issuing any proceedings as under Section 5(1) or 5(3) or 5A of the Act ordered changes in the revenue records and that no proceedings are available in the records. The necessary records also produced before the Court.

In view of the submission made by the learned Assistant

Government Pleader, it would not be possible for the MRO to issue certified copies of the proceedings of the then MRO. However, the MRO may give a letter to the petitioner to that effect, which should be cause of action to the petitioner to prefer appeal before the jurisdictional RDO against the alleged incorrect wrong entries made in respect of the land in survey Nos.318/A & 318/B, 320/A and 89 of Nidamarru Village of Mangalagiri Mandal in Guntur District. The MRO may give letter as indicated herein above within a period of one week from the ate of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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(**V.V.S.RAO,J**)

July 28, 2006.

NOTE:
Issue order copy today.
(By order)
YS